

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 329 of 1985

For Approval and Signature:

Hon'ble MR.JUSTICE S.K.KESHOTE

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

GUJARAT RAJYA RUPANTARIT GRAM/NAGAR PANCHAYAT STAFF ASSO

Versus

STATE OF GUJARAT

Appearance:

MR DC RAVAL for Petitioners

MRS SIDDHI TALATI for Respondents

CORAM : MR.JUSTICE S.K.KESHOTE

Date of decision: 03/10/97

ORAL JUDGMENT

#. The petitioner No.1, Gujarat Rajya Rupantarit Gram/Nagar Panchayat Staff Association, filed this Special Civil Application and prayer has been made for direction to the respondents to treat the members of the petitioner No.1-association, working in the Gram Panchayat or Nagar Panchayat, under the purview of the third pay commission and for directions to the respondents to the extent to give the members of the

petitioner No.1 and petitioner No.2, the benefit of interim relief recommended by the third pay commission and accepted by Government by its resolution dated 12th April 1983. Further prayer has been made for direction to the respondents to make provision for promotional avenues for the members of the petitioner No.1 and petitioner No.2 in Taluka Cadre, District Cadre and State Cadre as directed by this Court in the case of R.K.Soni v. State of Gujarat (AIR 1977 GUJ.76).

#. This writ petition has been got amended by petitioners and further prayer has been made that all the members of petitioner No.1-association are entitled to pay revision benefits pursuant to the recommendations of the third pay commission at par with the other Panchayat employees with retrospective effect and with interest at the rate of 12% p.a.

#. This petition has been admitted by this Court on 15.2.85 and interim relief was granted to limited extent that benefit of interim relief as per the report of the the Gujarat State Third Pay Commission, 1983, and as recommended by the Commission be paid to the concerned employees of the Gram and Nagar Panchayats in the Gujarat State as per the recommendations in paras 3.1 to 3.3. Though this petition has been filed in the year 1985 and we are in the year 1997 and in the meanwhile the fourth pay commission has also come into force but very conveniently the petitioners have not brought on record of this Special Civil Application the subsequent developments which have taken place. This Court, in many other cases, has given directions from time to time to treat the employees of Gram Panchayats and Nagar Panchayats at par with the Government employees. These directions were given as per the decision of this Court in the case of R.K.Soni, which decision was affirmed by the Hon'ble Supreme Court. So there is a possibility that grievances of the petitioners made in this Special Civil Application may not be surviving. However, nothing can be said affirmatively in presence of non cooperative attitude of both counsel for the parties.

#. However, interest of justice will be served in case this Special Civil Application is disposed of with direction to the petitioners that if any of their grievances as made in this Special Civil Application still survive, they may file a representation in this respect within a period of one month from the date of receipt of certified copy of this order, to respondent No.1, and the respondent No.1, on such representation being made by petitioners, shall decide the same within a

period of four months thereafter. In case the grievances made by the petitioners are not acceptable, the respondent No.1 shall pass a speaking order and a copy of the same may be sent to the petitioner No.1 by registered post. In case of difficulty, liberty is granted to petitioner No.1 for revival of this Special Civil Application. Rule and Special Civil Application stand disposed of in aforesaid terms with no order as to costs.

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(sunil)